

**AMENDMENTS TO THE DRAWINGS**

The attached sheets of drawings include changes to Figs. 2 and 3. These sheets replace the original sheets including Figs. 2 and 3. The following changes have been made to the figures: Figure 3 has been relabeled as Figure 2, and is also labeled as "Related Art" and Figure 2 has been relabeled to Figure 3.

Attachment:        Replacement sheets  
                      Annotated sheets showing changes

### REMARKS

The Applicants wish to thank the Examiner for thoroughly reviewing and considering the pending application. The Office Action dated May 25, 2006 has been received and carefully reviewed.

Claims 1-5 are currently pending. Reexamination and reconsideration are respectfully requested.

The drawings have been amended to correctly reflect the descriptions in the specification. No new matter has been added.

The Office Action provisionally rejected claims 1-3 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-15 of co-pending Application No. 11/036,380. As this is a provisional rejection and both applications are still pending, the Applicants will address this rejection upon an indication of allowability.

The Office Action also provisionally rejected claims 4-5 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-31 of co-pending Application No. 10/920,292. As this is a provisional rejection and both applications are still pending, the Applicants will address this rejection upon an indication of allowability.

The Office Action rejected claims 1-3 under 35 U.S.C. §102(b) as being clearly anticipated by U.S. Patent No. 3,816,942 to *Smith* (hereinafter "*Smith*"). The Applicants respectfully traverse this rejection.

As required in Chapter 2131 of the M.P.E.P., in order to anticipate a claim under 35 U.S.C. §102, "the reference must teach every element of the claim." The Applicants respectfully submit that *Smith* does not teach every element recited in claims 1-3 and therefore cannot anticipate these claims. More specifically, claim 1 recites a clothes dryer which includes, among other features, a "top cover comprising a groove provided at a rear portion of the top cover wherein the hook is disposed in a surface of the control panel opposite the top cover such that the

hook inserts into a hole disposed in the groove” and a “fire wall directing a fluid toward an outside of the body if fluid leaks through the hole.” *Smith* fails to disclose these features.

More specifically, *Smith* teaches a top cover 20 that is supported by a sidewall wrapper 11. The top cover includes an upwardly extending housing 21 which is considered the control panel. However, the top cover fails to include a groove and the control panel fails to include a hook. Because the Examiner has provided no citation from *Smith* to support his “clearly anticipated” contention, it was somewhat difficult for the Applicants to follow the rejection. Nevertheless, Applicants have carefully reviewed all of *Smith* and the top cover of *Smith*, as stated, fails to include any hook or groove. While *Smith* may have components that have a curvature, none of the components constitute a hook. Even if the curved components of *Smith* could be construed as having a hook, they are not included in the top cover, as required by claim 1.

Further, *Smith* fails to teach or fairly suggest a “fire wall” for “directing a fluid toward an outside of the body if fluid leaks through the hole.” In fact, *Smith* fails to disclose a fire wall. Rather, *Smith* discloses a cylindrical sidewall disposed between bulk heads. The sidewall encompasses the tumbler and is completely contained within the dryer. Even if one were to construe the sidewall to be a firewall, no surface of the sidewall is configured to direct fluid toward the outside of the body of the dryer, as required by claim 1.

Again, it is noted that the Office Action does not provide any specific citation or reference to the figures or disclosure of *Smith* to support the alleged “clearly anticipated” rejection. If the rejection is maintained, the Applicants request such references be provided so that an adequate response can be prepared.

For at least the aforementioned reasons, the Applicants respectfully submit that claim 1 is patentably distinguishable over *Smith*, and request that the rejection be withdrawn. Likewise, claims 2 and 3, which depend from claim 1, are also patentable for at least the same reasons.

The Office Action rejected claims 4 and 5 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,034,226 to *Conlee* (hereinafter "*Conlee*"). The Applicants respectfully traverse this rejection.

The Applicants respectfully submit that *Conlee* does not teach every element recited in claims 4 and 5 and therefore cannot anticipate these claims. More specifically, claim 4 recites a laundry dryer which includes, among other features, "a groove which runs along a width of the top cover wherein the groove directs fluid on the top cover toward an exterior of the laundry dryer; at least one hole disposed in the groove" and "the fire wall has a curvature such that if a fluid leaks through the hole onto the firewall, the fluid is directed toward an outside of the body." *Conlee* fails to disclose these features.

The Office Action alleges that *Conlee* discloses all of the aforementioned features, wherein reference number 104 is considered by the Examiner to be a groove in the top cover, reference number 93 is considered to be a hole in the groove in the top cover and reference number 103 is considered to be a fire wall. See page 2 of the Office Action. The Applicants disagree with the Examiner's interpretation of these reference number items in *Conlee*. While there is a hole 93 in the top cover 7', the hole 93 is not formed in any groove as required by claim 4. Moreover, to the extent, reference item 104 is a groove as alleged by the Examiner, it is clearly not part of the top cover as required by claim 4; instead, it is a peripheral rim associated with lower conduit 94. Further lower conduit 94 is not part of the top cover 7'. Still further, the conduit 94, including peripheral rim 104 does not direct fluid on the top cover toward an exterior of the dryer. Rather, it directs moisture from inside the drum to the outside of the dryer.

Reference number 103 in *Conlee* has been construed in the Office Action as a fire wall having "a curvature such that if a fluid leaks through the hole onto the firewall, the fluid is directed toward an outside of the body." The Applicants respectfully disagree with this interpretation. In *Conlee*, reference number 103 is an outlet vent as defined by the lower portion of conduit 94. It is not a fire wall. Even if it was, it does not direct "fluid on the top of the cover toward an exterior of the laundry dryer."

For at least the aforementioned reasons, the Applicants respectfully submit that claim 4 is patentably distinguishable over *Conlee*, and request that the rejection be withdrawn. Likewise, claim 5, which depends from claim 4, is also patentable for at least the same reasons.

The application is in a condition for allowance and favorable action is respectfully solicited. If for any reason the Examiner believes a conversation with the Applicant's representative would facilitate the prosecution of this application, the Examiner is encouraged to contact the undersigned attorney at (202) 496-7500. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: August 21, 2006

Respectfully submitted,

By

  
Mark R. Kresloff

Registration No.: 42,766

McKENNA LONG & ALDRIDGE LLP

1900 K Street, N.W.

Washington, DC 20006

(202) 496-7500

Attorney for Applicant

Fig. 2  
~~FIG. 3~~  
Related Art

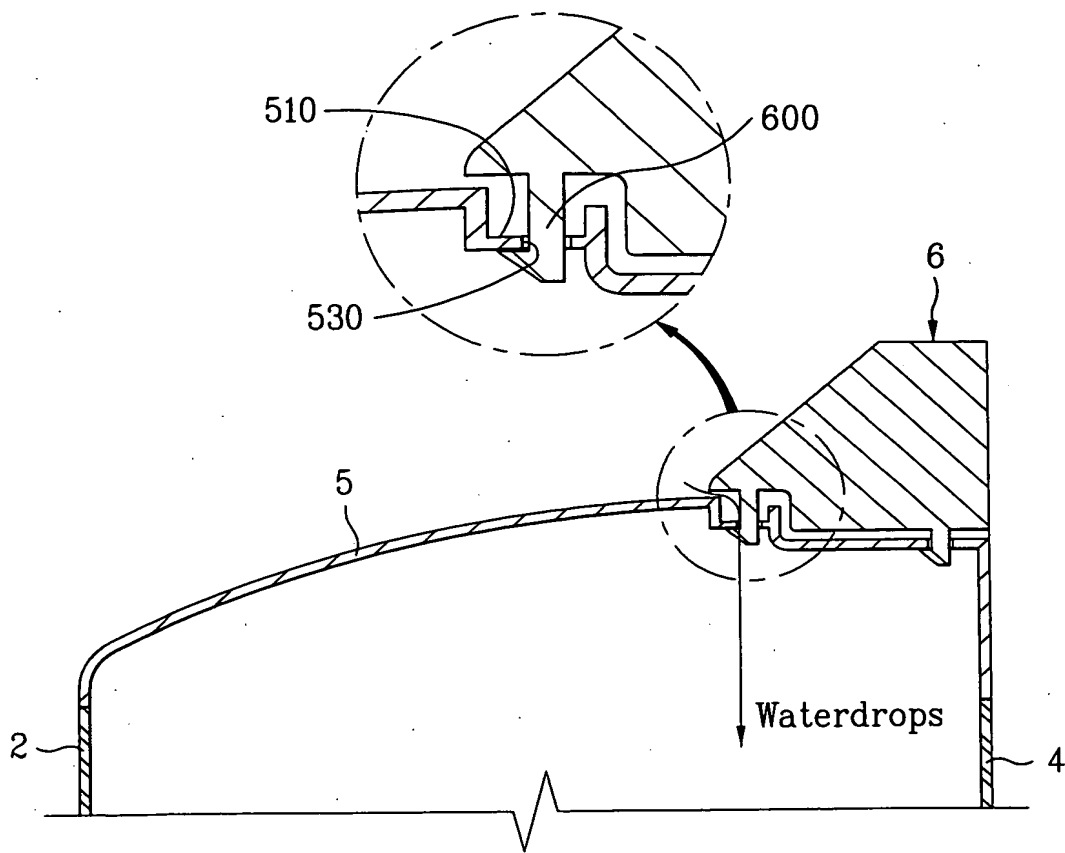


Fig. 3  
~~FIG. 2~~  
Prior Art

